

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WALTER EARL ALLEN, 2ND : CIVIL ACTION
v. :
DAWN CHAMBERLAIN, et al. : 08-2772


ORDER

BERLE M. SCHILLER, J.

AND NOW, this 18 day of Feb, 2009, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, ^{and objections thereto} IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus is DENIED.
3. Petitioner's motion for summary judgment is DENIED.
4. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:


BERLE M. SCHILLER, J